

EXHIBIT 2

From: Stefano Mazzocchi <stefano@apache.org>
Sent: Friday, April 6, 2007 11:56 AM
To: members@apache.org
Subject: Re: FYI : Upcoming open letter to Sun

Niall Pemberton wrote:

> - The proposal in this thread to release without a licensed TCK (and let
> Sun sue us) is a far greater breach of ASF principle IMO. The idea of
> the ASF condoning IP infringement would morally destroy the ASF long
> before a Sun court case actually put us out of existence. Personally I
> think considering all options in a debate is healthy - but if you want a
> list of banned subjects then you should add this as well IMO.

FWIW, the Harmony PMC has **never** even considered such an option. I
would personally just continue to work on harmony this way, without a
release, forever (well at least until we all get sick of it and move on)
instead of making one and risk ours or our downstream users' ass on it.

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Stefano.

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UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA TRIAL EXHIBIT 9200 CASE NO. 10-03561 WHA DATE ENTERED _____ BY _____ DEPUTY CLERK

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